| | (Original Signature of Member) |
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| 113TH CONGRESS 1ST SESSION H.R. | |
| To prohibit regulations establishing certaprogram, and for other | |
| IN THE HOUSE OF RE | PRESENTATIVES |
| Mrs. Noem introduced the following bill; whi | |
| A BII | L |
| To prohibit regulations establishing school lunch program, and | |

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,
- 3 SECTION 1. SHORT TITLE.
- 4 This Act may be cited as the "Reducing Federal
- 5 Mandates on School Lunch Act".

| 1 | SEC. 2. PROHIBITION OF REGULATIONS ESTABLISHING |
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| 2 | CERTAIN LIMITS FOR THE SCHOOL LUNCH |
| 3 | PROGRAM. |
| 4 | Beginning on the date of enactment of this Act and |
| 5 | until the date of enactment of a law that extends by not |
| 6 | less than 5 fiscal years the authorization or duration of |
| 7 | 1 or more programs under the Richard B. Russell School |
| 8 | Lunch Act (42 U.S.C. 1751 et seq.) or the Child Nutrition |
| 9 | Act of 1966 (42 U.S.C. 1771 et seq.), the Secretary of |
| 10 | Agriculture shall not— |
| 11 | (1) implement, administer, or enforce part 210 |
| 12 | of title 7, Code of Federal Regulations (as such part |
| 13 | relates to the establishment of a maximum calorie |
| 14 | limit and a maximum quantity of grains, meat, or |
| 15 | meat alternatives for the school lunch program), as |
| 16 | amended by the final regulations published by the |
| 17 | Department of Agriculture in the Federal Register |
| 18 | on January 26, 2012 (77 Fed. Reg. 4088 et seq.); |
| 19 | or |
| 20 | (2) promulgate or enforce any new rule or regu- |
| 21 | lation that establishes a maximum calorie limit or |
| 22 | maximum quantity of grains, meat, or meat alter- |
| 23 | natives for the school lunch program established |
| 24 | under the Richard B. Russell School Lunch Act (42 |
| 25 | USC 1751 et sea) |

SEC. 3. PROHIBITION OF OTHER NUTRITION REGULATIONS 2 FOR CERTAIN SCHOOL FOOD AUTHORITIES. 3 (a) Prohibition.— 4 (1) IN GENERAL.—Beginning on the date of en-5 actment of this Act and until the date of enactment 6 of a law that extends by not less than 5 fiscal years 7 the authorization or duration of 1 or more programs 8 under the Richard B. Russell School Lunch Act (42 9 U.S.C. 1751 et seg.) or the Child Nutrition Act of 10 1966 (42 U.S.C. 1771 et seg.), the Secretary of Ag-11 riculture shall not implement, administer, or enforce 12 the rules or regulations described in subsection (b) 13 with respect to any school food authority that cer-14 tifies to the State in which the school food authority 15 is located that the school food authority— 16 (A) has calculated the costs of complying 17 with such rules and regulations; and 18 (B) has determined, in a manner con-19 sistent with school district operational proce-20 dures, that the school food authority is not ca-21 pable of operating a food service program with-22 out increased costs as a result of complying 23 with any or all of such rules and regulations. 24 (2) Prohibition on defining costs.—For 25 purposes of this subsection, the Secretary of Agri-26 culture shall not—

| 1 | (A) define the phrase "costs of com- |
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| 2 | plying"; or |
| 3 | (B) establish or suggest how a school food |
| 4 | authority shall calculate the costs of complying |
| 5 | under paragraph (1)(A) or increased costs |
| 6 | under paragraph (1)(B). |
| 7 | (b) REGULATIONS.—The rules and regulations de- |
| 8 | scribed in subsection $(a)(1)$ are the following: |
| 9 | (1) The rule entitled "National School Lunch |
| 10 | Program and School Breakfast Program: Nutrition |
| 11 | Standards for All Foods Sold in School as Required |
| 12 | by the Healthy, Hunger-Free Kids Act of 2010" |
| 13 | published by the Department of Agriculture in the |
| 14 | Federal Register on June 28, 2013 (78 Fed. Reg. |
| 15 | 39068 et seq.), or any new rule with respect to foods |
| 16 | sold in schools other than those foods provided |
| 17 | under the Richard B. Russell School Lunch Act (42 |
| 18 | U.S.C. 1751 et seq.) or the Child Nutrition Act of |
| 19 | 1966 (42 U.S.C. 1771 et seq.). |
| 20 | (2) Part 210 of title 7, Code of Federal Regula- |
| 21 | tions (as amended by the interim regulations pub- |
| 22 | lished by the Department of Agriculture in the Fed- |
| 23 | eral Register on June 17, 2011 (76 Fed Reg. 35301 |
| 24 | et seq.)), as such part relates to school lunch price |
| 25 | increases, or any new rule or regulation with respect |

| 1 | to increasing the price of school lunches under the |
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| 2 | Richard B. Russell School Lunch Act (42 U.S.C |
| 3 | 1751 et seq.). |
| 4 | (3) Part 220 of title 7, Code of Federal Regula- |
| 5 | tions (as amended by the final regulations published |
| 6 | by the Department of Agriculture in the Federal |
| 7 | Register on January 26, 2012 (77 Fed. Reg. 4088 |
| 8 | et seq.)), as such part relates to establishing new |
| 9 | food-based meal patterns, nutrition standards, and |
| 10 | meal planning approaches for the school breakfast |
| 11 | program, or any new rule or regulation which estab- |
| 12 | lishes new food-based meal patterns, nutrition stand- |
| 13 | ards, or meal planning approaches for the school |
| 14 | breakfast program established under the Child Nu- |
| 15 | trition Act of 1966 (42 U.S.C. 1771 et seq.). |
| 16 | SEC. 4. RULES OF CONSTRUCTION. |
| 17 | Nothing in this Act prohibits the Secretary of Agri- |
| 18 | culture from implementing, administering, or enforcing— |
| 19 | (1) any rules or regulations not described in |
| 20 | this Act; or |
| 21 | (2) parts 210 and 220 of title 7, Code of Fed- |
| 22 | eral Regulations, as such parts were in effect on the |
| 23 | day before the effective dates of the amendments |
| 24 | made to such parts described in paragraphs (2) and |
| 25 | (3) of section 3(b), respectively. |